

APPENDIX A

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

UNITED STATES OF AMERICA,
v.

PCR 91-03052/RV
SUPERSEDING
INDICTMENT

WILLIAM MICHAEL ADKINSON,
KEITH ALAN COX,
ROBERT L. COLLINS,
ROBERT ALLIGOOD a/k/a BOB ALLIGOOD,
RONALD D. PEEK,
ROBERT E. BROCKMAN,
RICHARD A. TINSLEY,
DANIEL D. KISTLER,
BENJAMIN L. KOSHKIN,
ANN POWELL MINKS f/k/a ANN POWELL,
MARY CATHERINE FAWCETT,
GILBERT G. DUFILHO

THE GRAND JURY CHARGES:

At all times relevant to the indictment:

COUNT I

From on or about June 1, 1985, and continuously thereafter up to and including the date of this indictment, in the Northern District of Florida, and elsewhere, WILLIAM MICHAEL ADKINSON, KEITH ALAN COX, ROBERT L. COLLINS, ROBERT ALLIGOOD a/k/a BOB ALLIGOOD, RONALD D. PEEK, ROBERT E. BROCKMAN,
BENJAMIN L. KOSHKIN, ANN POWELL MINKS f/k/a ANN POWELL

the defendants herein, willfully and knowingly did combine, conspire, confederate, and agree together and with one another and with other individuals, both known and unknown to

the grand jury, to accomplish the following:

The defendants, WILLIAM MICHAEL ADKINSON, KEITH ALAN COX, ROBERT L. COLLINS, ROBERT ALLIGOOD a/k/a BOB ALLIGOOD, RONALD D. PEEK, ROBERT E. BROCKMAN, BENJAMIN L. KOSHKIN, ANN POWELL MINKS f/k/a ANN POWELL conspired to defraud the United States by impeding, impairing, frustrating, obstructing, and defeating the lawful governmental functions of the Internal Revenue Services of the Treasury Department in the ascertainment, computation, assessment, and collection of the revenue of the United States; to wit: Federal income taxes of one or more persons or entities.

proceeds constituted taxable income to the one or more persons or entities receiving and possessing said proceeds, and (b) by either failing to file federal income tax returns which if truthfully filed would have disclosed the existence of said income or by filing false tax returns that failed to report income derived from the proceeds of the false and fraudulent loans, all so as to impeded, impair, frustrate, obstruct and defeat the lawful governmental functions of the Internal Revenue Service in the ascertainment, assessment, collection and computation of revenue of the United States, to wit: federal income taxes of one or more persons or entities.

B. Property

The property is located south of Highway 98, east of Sandestin, and consists of approximately 21,000 acres of unimproved land in the Walton County, Florida, within the Northern District of Florida. The property is located on the south side of Highway 98, and runs adjacent to the Gulf of Mexico, and contains several miles of pristine beach-front land.

C. Defendants, Entities and Other Persons

[completely redacted, including the title]

A. Scheme

As it relates to the tax conspiracy, the purpose of the conspiracy to impede and impair the Internal Revenue Service was to defraud the United States (1) by concealing and causing to be concealed income generated from the proceeds of certain false and fraudulent loan transactions, which proceeds were purportedly applied to real estate transactions but were in actuality diverted and distributed among a number of persons and entities and which

D. Manner and Means by Which the Conspiracy was Carried Out.

27. It was part of the unlawful conspiracy to impede, impair and defeat the lawful functions of the Internal Revenue Service to conceal or cause to be concealed income in the amount of approximately \$20,400,000 obtained and received from Vision Banc Savings Association of Kingsville, Texas through sham loan transactions.

28. It was further part of the conspiracy to arrange purported real estate transactions that involved the creation of documentation to give the appearance of arms-length transactions, including the purchase by Walton County Investors, Inc. Of real estate from St. Joe Paper Company and a subsequent resale by Walton County Investors, Inc. Of certain parcels of such property to Robert Corson as Trustee; Crossview Development Company, Inc.; Development Mortgage Group, Inc.; Ferguson C & D, Inc.; and First Western Equity, Inc.

29. It was further part of the conspiracy to create fictitious and fraudulent commissions, fees and loans in connection with the false real estate transaction and to prepare and execute false documentation in furtherance thereof, so as to divert, misappropriate and distribute to certain persons and entities the income derived from the sham Vision Banc Savings Association loans and for all such persons and entities to conceal from the Internal Revenue Service the true income character of these misappropriated proceeds of the sham Vision Banc Savings Association loans.

30. It was further part of the conspiracy that the

misappropriate proceeds of the Vision Banc Savings Association sham loans were transmitted directly to Imperial Title Company and thereafter disbursed to the benefit and gain of, inter alios, WILLIAM MICHAEL ADKINSON, ROBERT ALLIGOOD a/k/a BOB ALLIGOOD, The Development Group, Inc. and Sandsend Financial Consultants, Ltd.

31. It was further part of the conspiracy that the aforementioned diversion of the Vision Banc Savings Association sham loan proceeds was concealed through the use of shell corporations, nominees and fraudulent loan transactions.

32. It was further part of the conspiracy that all of the corporate entities that received or transmitted any of the income generated by the sham Vision Banc Savings Association loan proceeds either (a) failed entirely to file federal tax returns, including Development Group, Inc.; Walton County Investors, Inc.; Sandsend Financial Consultants Limited; Crossview Development Company, Inc. Development Mortgage Group, Inc.; Ferguson C & D, Inc.; and First Western Equity, Inc., or (b) filed false federal tax returns that failed to report receipt or possession of said income, including Reynolds, Smith & Hills and its subsidiary, Plantec Realty Company.

33. It was further part of said conspiracy that WILLIAM MICHAEL ADKINSON and BENJAMIN L. KOSHKIN did not file a federal

tax return in 1986 and both ROBERT ALLIGOOD a/k/a BOB ALLIGOOD and ROBERT L. COLLINS filed false federal tax returns that failed to report their receipt of income derived from the sham Vision Banc Savings Association loan proceeds.

E. Overt Acts.

THERE FOLLOW 50 UNREDACTED PAGES
ASSERTING 227 OVERT ACTS SAID TO
HAVE BEEN COMMITTED IN
FURTHERANCE OF THE CONSPIRACY
ORIGINALLY ALLEGED IN THE PAGES
STRICKEN AND, POSSIBLY, IN
FURTHERANCE OF OTHER CHARGED
CONDUCT.